<u>IN THE CLAIMS</u>:

Please cancel Claims 2, 7, 9 and 10 without prejudice or disclaimer of subject matter, and amend Claims 1 and 6 as shown below. The claims, as pending in the subject application, now read as follows:

1. (Currently amended) An image discrimination apparatus for discriminating a prescribed pattern contained in an original image, comprising:

extraction means for extracting, from an input original image, a plurality of marks having a prescribed color density and disposed in a predetermined positional relationship;

calculation means for calculating the relative positional relationship of the plurality of marks extracted by said extraction means; and

discrimination means for discriminating whether or not the prescribed image pattern is present in the original image based upon the relative positional relationship calculated by said calculation means,

wherein said calculation means calculates distances between the plurality of marks, which have been extracted by said extraction means, as the relative positional relationship, and

said discrimination means includes storage means for storing distances between the plurality of marks, which constitute the prescribed image pattern, as a template, and determines whether or not the prescribed image pattern is present in accordance with a result of a comparison between the distances between the plurality of marks calculated by said calculation means and the distances between the marks stored in said storage means as the template.

2. (Canceled)

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3. (Currently amended) The apparatus according to claim 1 [[2]], wherein said discrimination means calculates the sum total of errors between the distances between the plurality of marks calculated by said calculation means and the distances between the marks stored in said storage means as the template, and judges that the prescribed image pattern is present in the original image when the sum total is smaller than a predetermined value.

4. (Original) A copier, which includes the image discrimination apparatus described in claim 1, for printing a copy of an original based upon image information relating to the original to be copied, said copier having control means which, when it has been determined that the prescribed image pattern is present in the original image, executes image processing different from that executed when it is judged that the prescribed image pattern is not present in the original image.

5. (Original) The copier according to claim 4, wherein said control means inhibits printing when it has been determined that the prescribed image pattern is present in the original image.

6. (Currently amended) An image discrimination method for discriminating a prescribed pattern contained in an original image, comprising:

an extraction step of extracting, from an input original image, a plurality of marks having a prescribed color density and disposed in a predetermined positional relationship;

a calculation step of calculating the relative positional relationship of the plurality of marks extracted at said extraction step; and

a discrimination step of discriminating whether or not the prescribed image pattern is present in the original image based upon the relative positional relationship calculated at said calculation step,

wherein said calculation steps calculates distances between the plurality of marks, which have been extracted at said extraction step, as the relative positional relationship, and

said discrimination step compares distances between the plurality of marks calculated at said calculation step and distances between the plurality of marks, which constitute the prescribed image pattern, stored in advance as a template, and determines whether or not the prescribed image pattern is present in accordance with result of the comparison.

7. (Canceled)

8. (Original) The method according to claim 6, wherein said discrimination steps calculates the sum total of errors between the distances between the plurality of marks calculated at said calculation step and the distances between the marks stored in advance as the template, and judges that the prescribed image pattern is present in the original image when the sum total is smaller than a predetermined value.

9. and 10. (Canceled)